



Order Filed on August 1, 2017  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

George C. Greatrex, Jr., Esquire  
SHIVERS, GOSNAY & GREATREX, LLC  
Cherry Hill Plaza, Suite 309  
1415 Route 70 East  
Cherry Hill, NJ 08034  
(856) 616-8080  
Attorneys for Movant/ Wilton's Corner Proprietary  
Association

In Re:

Dana L. McGovern,

Debtor

Case No. 15-14140

Chapter 13

Adv. No.:

Hearing Date: August 8, 2017 @ 10:00 a.m.

Judge: Jerrold N. Polusny, Jr.

**STIPULATION AND CONSENT ORDER RESOLVING SECURED CREDITOR  
WILTON'S CORNER PROPRIETARY ASSOCIATION's MOTION  
FOR RELIEF FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two-three 2-4 is  
hereby **ORDERED**.

**DATED: August 1, 2017**

A handwritten signature in dark ink, appearing to read "Jerrold N. Polusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Polusny, Jr.  
United States Bankruptcy Court

This Stipulation and Consent Order (“Stipulation”) is made this \_\_\_\_ day of \_\_\_\_\_, 2017 by and between Dana L. McGovern and Brian McGovern, Co-Debtor (hereinafter referred to as “Debtor”), by and through their counsel, Joseph J. Rogers, Esquire and Wilton’s Corner Proprietary Association (“Creditor/Movant”), by and through its counsel, Shivers, Gosnay & Greatrex, LLC.

### **BACKGROUND**

1. On July 13, 2017, Creditor filed a Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. §362 covering Debtors’ property at 17 Candlestick Lane, Sicklerville, NJ 08081.
2. The hearing on the Creditor’s Motion for Relief from Automatic Stay is scheduled for August 8, 2017.
3. The parties have agreed to resolve the issues raised by the Creditor’s Motion.

### **AGREEMENT**

In consideration of the mutual covenants set forth herein and intending to be legally bound hereby, and subject to the approval of the Bankruptcy Court for the District of New Jersey, the parties agree as follows and jointly request the Court to confirm the Consent Order:

1. Debtor has failed to make the post-petition payments for dues and assessments, late fees and related charges through July 31, 2017 in the amount of \$1,587.00 plus counsel fees and costs of \$561.00 for this motion for a total of \$2,148.00.

2. Debtor shall cure the default of the post-petition payments in the following manner:

a. That the balance due for post-petition assessments in the amount of \$1,587.00 through July 31, 2017 be added and included in the Debtor's Chapter 13 Plan for repayment;

b. That the Creditor, Wilton's Corner Proprietary Association is hereby awarded reimbursement of fees in the sum of \$350.00 plus filing fee of \$181.00 and costs \$30.00, totaling \$561.00, which is to be included and paid through the Debtors' Chapter 13 Plan.

3. Debtor shall resume making timely monthly post-petition payments beginning with the August 1, 2017 assessment due in the amount of \$92.00 and for each and every month thereafter to Creditor's counsel's office at 1415 Route 70 East, Suite 309, Cherry Hill, NJ 08034. All payments are to be made in certified funds made payable to "Wilton's Corner Proprietary Association" and delivered to Creditor's counsel's office located at Shivers, Gosnay & Greatrex, LLC, 1415 Route 70 East, Suite 309, Cherry Hill, NJ 08034.

4. In the event that Debtor fails to make the required payments set forth in paragraphs 2 - 3 above or fail to cure same within thirty (30) days from its due date, and after Debtor's counsel has received ten (10) days written notice of the failure to make such payments, Creditor shall be entitled to relief from the automatic stay by presenting a copy of this Stipulation and Consent Order with a ten (10) day Certificate of Default and, if the default is not cured within the ten (10) day period, a proposed Order to the Court for immediate relief will be submitted. Notice of the

filing of the Certification of Default and accompanying papers shall be given to Debtor's counsel.

5. This Stipulation is without prejudice to the rights of Creditor to renew its Motion for Relief from Automatic Stay and Objection should it, in its sole discretion, decide to do so.

Approved as an Order of this Court this \_\_\_\_ day of \_\_\_\_\_ 2017.

By the Court:

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Honorable Jerrold N. Polusny, Jr., USBJ

**SHIVERS, GOSNAY & GREATREX,  
LLC**

By: /s/George C. Greatrex

George C. Greatrex, Jr., Esquire  
Cherry Hill Plaza, Suite 309  
1415 Route 70 East  
Cherry Hill, NJ 08034  
Attorney for Creditor

/s/Joseph J. Rogers

Joseph J. Rogers, Esquire  
901 Rte. 168, Suite 407A  
Turnersville, NJ 08012  
Attorney for Debtor

**INTERESTED PARTIES TO BE SERVED**

Dana L. McGovern, Debtor  
17 Candlestick Lane  
Sicklerville, NJ 08081

Brian McGovern, Co-Debtor  
17 Candlestick Lane  
Sicklerville, NJ 08081

Isabel C. Balboa  
Chapter 13 Standing Trustee  
Cherry Tree Corporate Center  
535 Route 38 - Suite 580  
Cherry Hill, NJ 08002

United States Trustee  
Office of the United States Trustee  
One Newark Center, Suite 2100  
Newark, NJ 07102-5235